

MINUTES OF REGULAR MEETING HELD MARCH 7, 2017

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, March 7, 2017 at 8:00 p.m.

Mayor Skibitsky made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 22, 2016. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, AND THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Skibitsky, Council Members Arena, Neylan, LoGrippe, Loughlin, Della Fera, Donnelly, Stokes

ABSENT: Councilman Oliveira

Mayor Skibitsky made the following statement:

After the Pledge of Allegiance, I ask that you please remain standing for a moment of silence as we honor and remember two young people in our Westfield family who recently lost their lives.

Westfield firefighter Michael Lanza, just 35 years old, passed away on February 22nd. Born and raised in Westfield, Mike was a career firefighter with 14 years of service helping others. Even more important, he was a loving husband and father of two children. May he rest in peace.

Terry DiFalco, a freshman at Westfield High School, lost her life on March 4th as a result of a tragic accident. Just 14 years old, the outpouring of emotion at the prayer service at St. Helen's Church which was attended by hundreds of mourners, speaks to how many lives she touched in her too short life. May she rest in peace.

Please keep the families' of Michael Lanza and Terry DiFalco in your thoughts and prayers.

Thank you.

Invocation was given by Councilman Della Fera

PRESENTATIONS

Mayor Skibitsky presented the following Proclamation:

**Town of Westfield
Westfield, New Jersey
Proclamation
Westfield Volunteer Rescue Squad Month**

March 1, 2017 – March 31, 2017

WHEREAS, each year residents and visitors to our community may require emergency medical care and transportation; and

WHEREAS, the Westfield Volunteer Rescue Squad is a wholly volunteer emergency medical service on duty 24 hours a day, 7 days a week; and

WHEREAS, the Westfield Volunteer Rescue Squad has provided no-fee emergency medical care and transportation to the residents and visitors of the Town of Westfield for the past 66 years; and

WHEREAS, the Westfield Volunteer Rescue Squad depends entirely upon donations to fund its operations; and

WHEREAS, the members of the Westfield Volunteer Rescue Squad are certified volunteer emergency medical technicians who generously donate their time and their skills to provide for the physical well being of the community and its residents; and

WHEREAS, during the year 2016, the members of the Westfield Volunteer Rescue Squad volunteered over 30,000 hours of service and answered 2,201 calls, giving selflessly of themselves for the welfare of others; and

WHEREAS, the Town of Westfield benefits daily from the knowledge, skills and efforts of the members of the Westfield Volunteer Rescue Squad;

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Andrew K. Skibitsky, hereby proclaim that the period of March 1 through March 31 in the year 2017 be designated as:

Westfield Volunteer Rescue Squad Month

BE IT FURTHER PROCLAIMED that the residents of the Town of Westfield be encouraged to recognize the efforts of the dedicated volunteers and show their support for this vital service organization.



Andrew K. Skibitsky

Friends of The Westfield Memorial Library spoke about the 44th Annual Book Sale that will be held at the Westfield Memorial Library on April 20th through May 1st.

APPOINTMENT

ADVERTISED HEARINGS

PENDING BUSINESS

MINUTES

On a motion by Councilman LoGrippe seconded by Councilman Donnelly, Council approved the Minutes of the Town Council Conference Session held February 21, 2017 with Councilman Stokes abstaining.

On a motion by Councilman Arena, seconded by Councilman Della Fera, Council approved the Minutes of the Town Council Meeting held February 21, 2017 with Councilman Stokes abstaining.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

Guy Solantano of 1700 Boulevard spoke against the idea of having Westfield be a Sanctuary City. He said it should not be considered by the Town as it is wrong and immoral.

Lisa O'Dwyer of 20 South Wickem Drive spoke in support of illegal immigrants.

Mike Malgieri of 20 North Wickom Drive spoke in opposition to becoming a Sanctuary City. He asked where we draw the line on what is legal and illegal. He said the people in favor of Sanctuary Cities should have sanctuary homes instead.

Marcie Bandelli of 209 Tuttle Parkway spoke in favor of Sanctuary Cities and gave an explanation of what she believes a Sanctuary City is.

John Barker of 461 Elm Street said that there is no legal definition of what a Sanctuary City is. He said there are basically two interpretations. One is that law enforcement will not actively inquire about status as a citizen unless there is a felony or a DWI. He said that is already being done. Second is that undocumented immigrants are actively harbored and federal agencies are not cooperated with. He said that is illegal. He said you can't solve a problem we don't have.

Lisa Spineira of Mohawk Trail said she was against Sanctuary Cities but expressed displeasure about even having the discussion since the Town experienced a tragedy with the young girl dying last week. She said there is poor lighting in the streets of Westfield and that is more important to light the streets so that children can be safe.

Alicia Barker of 461 Elm Street spoke against placing blame for the death that recently occurred on poor lighting in town. She said it was the last thing the family of the victim of the tragic accident would want.

Ray Gargulo of 1001 Cranford Avenue spoke against Sanctuary Cities He said those who were bringing up this situation now were doing it because of the current federal administration. He said nothing has changed and the laws are the same concerning immigration.

Michael Villance of 418 W. Broad Street spoke on immigration. He said there are over two million people waiting to come to the country legally and cannot come because so many immigrants come illegally.

Brad Schaeffer of 614 Fairmont Avenue spoke on the Sanctuary City issue. He said it was a big city problem not a small town problem. He said it would draw illegal immigrants to the town and be a burden on the taxpayers.

Michael Pitman of 544 Hort Street spoke in support of sanctuary cities. He said the reason why he supports the idea of a sanctuary city, and he understands it is not illegal, is that he is worried about the federal government or the executive branch which seems to be driven by a policy of white nationalism and he is not necessarily worried about what the police in Westfield are doing but worried about what they are going to be doing in two years. He said he was looking at a lot of white faces in Westfield and said that was new to him.

Mike Rameriz of 733 Summit Avenue spoke against Sanctuary cities. He said that because Westfield has white citizens, they are not white supremacists and blamed the media for the portrayal of the current administration. He spoke against Sanctuary Cities.

Kathleen Garguilo of 1001 Cranford Avenue spoke regarding poor street lighting and said the streets were dark. She also spoke against Sanctuary cities.

Sheila Wiggins of 712 Harding Street spoke in opposition of Sanctuary Cities.

BILLS AND CLAIMS

Introduced by Councilwoman Neylan, seconded by Councilman Stokes were adopted unanimously with Councilman Loughlin abstaining on Loughlin Law Firm.

RESOLVED that the bills and claims in the amount of \$207,029.68 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilwoman Neylan, seconded by Councilman Donnelly were unanimously adopted.

(64) WHEREAS, the Westfield Recreation Department's annual Daddy-Daughter Dance held at The Westwood for Westfield residents is scheduled for Sunday, March 12, 2017 and,

WHEREAS, payment for each participant to The Westwood is required day of the event;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to prepare warrants for participant payment to The Westwood located at 438 North Ave., Garwood, NJ 07027 in an amount not to exceed \$15,000.00 charged to the Recreation Department's Trust 217 Account (T05-600-071).

(65) WHEREAS, Gerald Infantino of Premier Design Custom Homes, LLC placed the required cash bond of \$500.00 to cover Road Opening Permit #16-063 for 1260 Rahway Avenue, and

WHEREAS, Gerald Infantino has requested that this amount be returned, and

WHEREAS, the Town Engineer, has inspected the roadway excavation and has found the excavation to have been properly repaired.

NOW THEREFORE BE IT RESOLVED, that the Treasurer be authorized to draw a warrant in the name of Gerald Infantino, Premier Design Custom Homes, LLC for \$500.00 and forward to 405 Quantuck Lane, Westfield, NJ 07090.

(66) RESOLVED that the Chief Financial Officer be authorized to draw a warrants in the amounts of \$1,021.80 & \$246.60 to the order of New Jersey Department of Health, P.O. Box

369, Trenton, New Jersey for Dog Licenses issued by the Town Clerk for the months of January and February 2017.

(67) RESOLVED, that the Chief Financial Officer be and hereby is, authorized to draw warrant for unused parking permit fee as follows:

Akram Tadrans	Lot 8	#17080356	\$200.00
20 O'Brien Ct			
Bayonne, NJ 07002			

(68) WHEREAS, there exist on the records in the Tax Collector's office tax overpayment for the year 2016:

NOW, THEREFORE, BE IT RESOLVED that the Tax Collector be and she hereby is authorized to cancel the tax overpayment to surplus.

<u>Block/Lot</u>	<u>Property Address</u>	<u>Amount</u>
2208/6	316 Linden Avenue	\$10.58

(69) RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, these amounts being erroneously paid for 2016:

<u>Block/Lot/Qualifier</u>	<u>Name/Mailing Address</u>	<u>Property Address</u>	<u>Amount</u>
4812/6	Biehl, Jason A	1020 Ripley Avenue	\$756.51
	1022 Ripley Avenue		
	Westfield, NJ 07090		

(70) RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, this amount being overpaid due to successful tax appeals for 2016:

BLOCK AND LOT

<u>NAME AND ADDRESS</u>	<u>PROPERTY</u>	<u>YEAR</u>	<u>AMOUNT</u>
3108/19	147-149 ELMER STREET	2016	\$1,587.61
LOUIE REAL ESTATE HOLDING		2017	\$ 779.54
C/O ROBERT E. SPIOTTI, ESQ		TOTAL	\$2,367.15
SPIOTTI & ESPOSITO, PC			
271 US HIGHWAY F105-106			
FAIRFIELD, NJ 07004			
4104/15	238 Grove Street West	2016	\$645.57
DAVIES, JOHN & KIRTI MALIK		2017	\$322.79
		TOTAL	\$968.36

4301/35	670 VERMONT STREET	2016	\$4,726.72
BUONTEMPO, RICHARD		2017	\$1,015.76
4 CRESCENT PLACE		TOTAL	\$5,742.48
CRANFORD, NJ 07016			

5601/11	1513 PINE GROVE AVE		
MAURYSCHAU, KIRYL & CLAUDIA		2016	\$5,777.14
		2017	\$1,241.48
		TOTAL	\$7,018.62

The following resolution, introduced by Councilwoman Neylan, seconded by Councilman LoGrippe was adopted by the following roll call vote:

(71) WHEREAS, a condition has arisen with respect to either funds being needed for salaries and wages and/or contracts, commitments or payments being due to various vendors prior to the adoption of the 2017 Budget, and no provision was made in the 2017 Temporary Budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A:4-20 provides for creation of an emergency temporary appropriation for said purpose, and

WHEREAS, the total emergency temporary resolutions adopted in the year 2017 pursuant to the provisions of N.J.S.A. 40:4-20 (Chapter 96, P.L. 1951, as amended) including this resolution total \$6,263,688.00 for the Current Fund and \$30,500.00 for the Swimming Pool Utility Fund,

NOW, THEREFORE, BE IT RESOLVED that in accordance with N.J.S.A. 40A:4-20:

1. The emergency temporary appropriations listed below will be provided for in the 2017 Budget under the titles shown and for the amounts given as follows:

Current Fund

	Salaries & Wages	Other Expenses
Administrative & Executive	33,000.00	50,000.00
Town Clerk	22,000.00	
Collection of Taxes	16,000.00	
Assessment of Taxes	16,000.00	5,000.00
Financial Administration	38,000.00	
Legal Services & Costs		97,000.00
Municipal Court	46,000.00	3,000.00

Municipal Prosecutor	3,000.00	
Engineering Services	92,000.00	
Public Works	235,000.00	
Rahway Valley Sewerage Authority		60,000.00
Public Buildings & Grounds		50,000.00
Planning Board		6,000.00
Board of Adjustment		6,000.00
Group Insurance Plan for Employees		900,000.00
Other Insurance		10,000.00
Fire Department	321,000.00	
Fire Official	18,000.00	
Fire Hydrant Service		80,000.00
Parking Administration	23,000.00	
Police Department	721,000.00	97,000.00
Crossing Guards	5,000.00	
Emergency Management		1,000.00
Inspection of Buildings	51,000.00	
Telephone		64,000.00
Gasoline		20,000.00
Board of Health	77,000.00	
Board of Health - Contractual Services		5,000.00
Recreation	12,000.00	500.00
Celebration of Public Events		1,000.00
Maintenance of Free Public Library		135,000.00
Social Security System (OASI)		65,000.00
Animal Control Regulation		20,000.00
Defined Contribution Retirement Plan (DCRP)		15,000.00
Public Employees Retirement System (PERS)		910,547.00
Police & Firemen's Retirement System (PFRS)		1,933,641.00
Subtotal	1,729,000.00	4,534,688.00

In the total amount of \$6,263,688.00

Swimming Pool Utility Fund

	Salaries & Wages	Other Expenses
Swimming Pool Operations	26,000.00	
Social Security (OASI)		4,500.00
Subtotal	26,000.00	4,500.00

In the total amount of \$30,500.00

Yeas: Arena Nays: Absent: Oliveira
 Neylan
 LoGrippto

Loughlin
Della Fera
Donnelly
Stokes
Mayor Skibitsky

Regarding the following ordinance, Councilwoman Neylan, made the following announcement:

I hereby move that an ordinance entitled, “GENERAL ORDINANCE NO. 2079,
AN ORDINANCE OF THE TOWN OF WESTFIELD AUTHORIZING THE TOWN TO
ACT AS GUARANTOR TO A \$150,000 LOAN FROM THE NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS, OFFICE OF MAIN STREET NEW
JERSEY AND IMPROVEMENT DISTRICT PROGRAMS, DOWNTOWN BUSINESS
IMPROVEMENT LOAN FUND”

Heretofore introduced, does now pass on first reading, and that said ordinance be further considered for final passage at a meeting to be held on the 21st day of March 2017 at 8:00 o'clock, p.m., or as soon thereafter as the matter can be reached, in the Council Chambers, 425 East Broad Street, Westfield, New Jersey, and that at such time and place or any time and place to which such meeting shall from time to time be adjourned, all persons interested be given the opportunity to be heard concerning said ordinance, and that the Town Clerk is hereby authorized and directed to publish said ordinance according to law with a notice of its introduction and passage on first reading and of the time and place when and where said ordinance will be further considered for final passage.

Seconded by Councilman Arena

The ordinance was approved by the following vote of all present upon roll call as follows:

Yeas:	Arena	Nays:	Absent: Oliveira
	Neylan		
	LoGrippe		
	Loughlin		
	Della Fera		
	Donnelly		
	Stokes		
	Mayor Skibitsky		

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolutions, introduced by Councilman Della Fera seconded by Councilman Arena were unanimously adopted.

(72) RESOLVED that the following application for children's amusement devices be approved:

Party Time Rentals
25 Andrews Drive
Woodland Park, NJ, 07424

Street Fair
June 10, 2017
August 19, 2017
October 14, 2017
South Ave Train Lot

Westfield Neighborhood Council
127 Cacciola Place
Westfield, NJ

Public Works Committee

Reports of Department Heads

Report of Claire J. Gray, Town Clerk, showing fee collected in the amount of \$6,799.00 during the month of February 2017 was received, read, and ordered filed.

Reports of Susan Noon, Collector of Taxes, showing taxes total collections of tax and sewer \$12,025,885.66 during the period January 1, 2017 to January 30, 2017.

Upon motion by Councilwoman Neylan, seconded by Councilman LoGrippo the meeting was adjourned at 8:55 p.m.

Claire J. Gray

Town Clerk